

Appl. No. : 09/283,120
 Filed : March 31, 1999

indicated that the Examiner will reconsider whether Claims 54-57 have the same scope as Claims 53 and 54. The Examiner further indicated that if Claims 54-57 do have the same scope as Claims 53 and 54 that Claims 54-57 would be allowable unless a supplemental search revealed additional prior art that renders Claims 54-57 unpatentable.

As indicated, Applicants respectfully submit that Claims 54-57 have the same scope as Claims 53 and 54. For ease of comparison, the Applicants provide below a side-by-side comparison of the earlier presented claims and the amended claims.

Comparison of Claim 53 as Dependent on Claim 38 with New Claim 55

<u>Claim 53 as Dependent on Claim 38</u>	<u>New Claim 55</u>
38. An online product auction system comprising an auction center, said auction center includes a microprocessor operably connected to a storage media, said product auction system comprising:	55. An online product auction system comprising an auction center, said auction center includes a microprocessor operably connected to a storage media, said product auction system comprising:
a current high bid value for a first product;	a current high bid value for a first product;
a first bid data for said first product, said first bid data includes a first bid and a second bid, said first bid is greater than said current high bid value, and said second bid is greater than said first bid;	a first bid data for said first product, said first bid data includes a first bid and a second bid, said first bid is greater than said current high bid value, and said second bid is greater than said first bid;
a second bid data for said first product, said second bid data includes a third bid and a fourth bid, said third bid is greater than said current high bid value, and said fourth bid is greater than said third bid; and	a second bid data for said first product, said second bid data includes a third bid and a fourth bid, said third bid is greater than said current high bid value, and said fourth bid is greater than said third bid;

Appl. No. : 09/283,120
 Filed : March 31, 1999

<u>Claim 53 as Dependent on Claim 38</u>	<u>New Claim 55</u>
a bid processing module which calculates and updates said current high bid for said first product.	a bid processing module which calculates and updates said current high bid for said first product;
53. The online product auction system of Claim 38, 39, or 40, further comprising:	
a start minimum bid;	a start minimum bid;
a low minimum bid;	a low minimum bid;
a current minimum bid; wherein the current minimum bid, at the start of an auction, is equal to the start minimum bid;	a current minimum bid; wherein the current minimum bid, at the start of an auction, is equal to the start minimum bid; and
a seller proxy module configured to periodically determine whether a bid at least as great as the current minimum bid has been accepted, and if no such bid has been accepted, to adjust the current minimum bid downward to a value less than the start minimum bid but at least as great as the low minimum bid.	a seller proxy module configured to periodically determine whether a bid at least as great as the current minimum bid has been accepted, and if no such bid has been accepted, to adjust the current minimum bid downward to a value less than the start minimum bid but at least as great as the low minimum bid.

Comparison of Claim 53 as Dependent on Claim 39 with New Claim 56

<u>Claim 53 as Dependent on Claim 39</u>	<u>New Claim 56</u>
38. An online product auction system comprising an auction center, said auction center includes a microprocessor operably connected to a storage media, said	55. An online product auction system comprising an auction center, said auction center includes a microprocessor operably connected to a storage media, said

Appl. No. : 09/283,120
 Filed : March 31, 1999

<u>Claim 53 as Dependent on Claim 39</u>	<u>New Claim 56</u>
product auction system comprising:	product auction system comprising:
a current high bid value for a first product;	a current high bid value for a first product;
a first bid data for said first product, said first bid data includes a first bid and a second bid, said first bid is greater than said current high bid value, and said second bid is greater than said first bid;	a first bid data for said first product, said first bid data includes a first bid and a second bid, said first bid is greater than said current high bid value, and said second bid is greater than said first bid;
a second bid data for said first product, said second bid data includes a third bid and a fourth bid, said third bid is greater than said current high bid value, and said fourth bid is greater than said third bid; and	a second bid data for said first product, said second bid data includes a third bid and a fourth bid, said third bid is greater than said current high bid value, and said fourth bid is greater than said third bid;
a bid processing module which calculates and updates said current high bid for said first product.	a bid processing module which calculates and updates said current high bid for said first product;
39. The auction system as defined in Claim 38, wherein said bid processing module further comprises:	[See the bolded Claim 56 language, below.]
a first calculation mode which calculates said high bid for said first product when said product auction system is in a first state; and	
a second calculation mode which calculates said high bid for said first product when said product auction system is in a second state.	

Appl. No. : 09/283,120
 Filed : March 31, 1999

<u>Claim 53 as Dependent on Claim 39</u>	<u>New Claim 56</u>
53. The online product auction system of Claim 38, 39, or 40, further comprising:	
a start minimum bid;	a start minimum bid;
a low minimum bid;	a low minimum bid;
a current minimum bid; wherein the current minimum bid, at the start of an auction, is equal to the start minimum bid;	a current minimum bid; wherein the current minimum bid, at the start of an auction, is equal to the start minimum bid; and
a seller proxy module configured to periodically determine whether a bid at least as great as the current minimum bid has been accepted, and if no such bid has been accepted, to adjust the current minimum bid downward to a value less than the start minimum bid but at least as great as the low minimum bid.	a seller proxy module configured to periodically determine whether a bid at least as great as the current minimum bid has been accepted, and if no such bid has been accepted, to adjust the current minimum bid downward to a value less than the start minimum bid but at least as great as the low minimum bid.
[See the bolded Claim 39 language, above.]	<p>56. The auction system as defined in Claim 55, wherein said bid processing module further comprises:</p> <p>a first calculation mode which calculates said high bid for said first product when said product auction system is in a first state; and</p> <p>a second calculation mode which calculates said high bid for said first product when said product auction system is in a second state.</p>

Appl. No. : 09/283,120
 Filed : March 31, 1999

Comparison of Claim 53 as Dependent on Claim 40 with New Claim 57

<u>Claim 53 as Dependent on Claim 40</u>	<u>New Claim 57</u>
40. An online product auction system comprising an auction center, said auction center includes a microprocessor operably connected to a storage media, said product auction system comprising:	57. An online product auction system comprising an auction center, said auction center includes a microprocessor operably connected to a storage media, said product auction system comprising:
a current high bid for a first product, said current high bid is associated with a first bid data wherein said first bid data includes a first bid and a second bid, said first bid is greater than said current high bid, and said second bid is greater than said first bid; and	a current high bid for a first product, said current high bid is associated with a first bid data wherein said first bid data includes a first bid and a second bid, said first bid is greater than said current high bid, and said second bid is greater than said first bid;
a second bid data for said first product, said second bid data includes a third bid and a fourth bid, said third bid is greater than said current high bid, and said fourth bid is greater than said third bid.	a second bid data for said first product, said second bid data includes a third bid and a fourth bid, said third bid is greater than said current high bid, and said fourth bid is greater than said third bid;
53. The online product auction system of Claim 38, 39, or 40, further comprising:	
a start minimum bid;	a start minimum bid;
a low minimum bid;	a low minimum bid;
a current minimum bid; wherein the current minimum bid, at the start of an auction, is equal to the start	a current minimum bid; wherein the current minimum bid, at the start of an auction, is equal to the start

Appl. No. : 09/283,120
 Filed : March 31, 1999

<u>Claim 53 as Dependent on Claim 40</u>	<u>New Claim 57</u>
minimum bid; a seller proxy module configured to periodically determine whether a bid at least as great as the current minimum bid has been accepted, and if no such bid has been accepted, to adjust the current minimum bid downward to a value less than the start minimum bid but at least as great as the low minimum bid.	minimum bid; and a seller proxy module configured to periodically determine whether a bid at least as great as the current minimum bid has been accepted, and if no such bid has been accepted, to adjust the current minimum bid downward to a value less than the start minimum bid but at least as great as the low minimum bid.

Comparison of Previous Claim 54 with Amended Claim 54

<u>Previous Claim 54</u>	<u>Amended Claim 54</u>
54. The online product auction system of Claim 53, further comprising a decrement amount, wherein the seller proxy module adjusts the current minimum bid downward by the decrement amount.	54. The online product auction system of Claim 55, 56, or 57, further comprising a decrement amount, wherein the seller proxy module adjusts the current minimum bid downward by the decrement amount.

As shown, the only textual difference between previous Claim 54 and amended Claim 54 is that whereas previous Claim 54 depends upon Claim 53, amended Claim 54 depends alternatively upon Claim 55, 56, or 57. However, this textual difference does not result in any difference in claim scope. As Applicants have shown, Claims 55, 56, and 57 together have the same scope as Claim 53. Accordingly, amended Claim 54 has the same scope as previous Claim 54.